IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 24373 of 2004

Between:

1 Tellapti Adinarayana, S/o. Tellapati Nagaiah,
R/o. Chalamareddy Palli Village, Cuddapah Mandal & District.
2 Tellapati Dhanujaya, S/o. Adinarayana,
R/o. Chalamareddy Palli Village, Cuddapah Mandal & District.

..... PETITIONERS

AND

1 The Government of Andhra Pradesh, Rep. by its Principal Secretary,
Department of Home, Secretariat, Hyderabad.
2 The Superintendent of Police, Cuddapah, Cuddapah District.
3 The Deputy Superintendent of Police, Cuddapah, Cuddapah District.

.....RESPONDENTS

Petition filed under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 3rd respondent in interfering with the petitioners private life and property at the instance of the third parties as highly arbitrary, illegal, highhanded and violative of the fundamental rights guaranteed to the petitioners under Articles 14, 19 (1)(g) and 21 of the Constitution of India and consequently direct the 3rd respondent not to interfere with the petitioners private life and property and pass such other order or orders

Counsel for the Petitioner:MR.V.R.REDDY KOVVURI

Counsel for the Respondent No.: GP FOR HOME

The Court at the stage of admission made the following :

ORDER:

The petitioners allege that the respondent No. 3 is calling them to the police station and interfering with their rights, at the instance of 3rd parties, without there being any specific complaint and without registering any case. They seek appropriate directions to the respondents not to harass them, or otherwise interfere with their rights.

Heard learned counsel for the petitioners and learned Government Pleader for Home.

The police are vested with the power to investigate into any complaints received by them and to take further steps after registering the case. Under no circumstances, they can undertake resolution of civil disputes. In the absence of any specific complaint and without registration of any case, they cannot indiscriminately require an individual to attend the police station.

Hence, the writ petition is disposed of, directing that the 3rd respondent shall not require the petitioners to attend the police station, or otherwise interfere with their rights, except where a specific complaint is received and a case is registered under the relevant provisions of law. There shall be no order as to costs.

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L. NARASIMHA REDDY, J.

Dt.30-12-2004

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To

1 The Principal Secretary, Government of Andhra Pradesh,
Department of Home, Secretariat, Hyderabad.
2 The Superintendent of Police, Cuddapah, Cuddapah District.
3 The Deputy Superintendent of Police, Cuddapah, Cuddapah District.

4 Two C.Cs. to the Government Pleader for Home,

High Court buildings, Hyderabad (OUT)

5 Two C.D.copies